

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32136 of 2019

Arising Out of PS. Case No.-427 Year-2018 Thana- DINARA District- Rohtas

1. INDRAJEET KAHAR @ PAPPU KAHAR Son of Yadubansh Kahar, Resident of Village-Samahuti, P.S-Dinara, District-Rohtas.
2. Hari Shankar Paswan Son of Binseri Paswan, Resident of Village-Samahuti, P.S-Dinara, District-Rohtas.
3. Pintu Paswan Son of Salik Paswan, Resident of Village-Samahuti, P.S-Dinara, District-Rohtas.
4. Sarbjeet Paswan Son of Ramashish Paswan, Resident of Village-Samahuti, P.S-Dinara, District-Rohtas.
5. Ram Layak Paswan Son of Ramashish Paswan, Resident of Village-Samahuti, P.S-Dinara, District-Rohtas.
6. Shivjee Paswan Son of Binseri Paswan, Resident of Village-Samahuti, P.S-Dinara, District-Rohtas.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Kant Singh
For the Opposite Party/s : Mr.Shyam Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 15-05-2019 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

In this case, the petitioners are seeking anticipatory
bail in connection with Dinara P.S. Case No. 427 of 2018
registered for offence punishable under sections 341, 323, 307,
379, 504 and 506/34 of the Indian Penal Code and 27 of the
Arms Act.

Allegation has been made that on 07.11.2018 while the



informant was returning after completing his job, the accused persons surrounded him and used filthy language taking his caste name and from his pocket Rs.500/- was also taken away and with an intention to kill, Harishankar Paswan fired upon him, but on intervention of the villagers, he could save his life and return to his house, but after some while, all the accused persons came with lathi, danda and country made pistol and resorting firing.

The learned counsel for the petitioners submits that the story, that has been made, is completely an artificial story in view of the fact that there was sufficient opportunity to kill the informant but they have done nothing.

Looking to the facts and circumstances of the case, the prayer for bail of the petitioners is allowed and they, in the event of arrest or surrender before the court below within six weeks from today, are directed to be enlarged on anticipatory bail on furnishing bail bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of Judicial Magistrate 1st Class, Bikramganj in connection with Dinara P.S. Case No. 427 of 2018, subject to the conditions as laid down under section 438 Cr. PC and also subject to the condition that one of the bailors of the petitioners shall be a local person



having sufficient immovable property within the jurisdiction of the concerned Court. The petitioners will not induce any witness or tamper with the evidence. The petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court. If the petitioners are found involved in similar type of allegation in future, the prosecution will have liberty to file an application for cancellation of their bail bonds.

(Shivaji Pandey, J)

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